

IBSEC-P-2/1
1 December 1960

UNITED STATES INTELLIGENCE BOARD
SECURITY COMMITTEE

MEMORANDUM FOR: Members of the Security Committee

SUBJECT : Revision of DCID 11/2, Controls for Dissemination and Use of Intelligence and Intelligence Information

1. There is attached for your study and review Draft No. 9 dated 1 December 1960 of the revision of DCID 11/2 which contains certain changes from Draft No. 8 dated 28 July 1960. After careful study of Draft No. 8 within CIA it was found that certain provisions of that Draft posed serious difficulties in the processing and utilization of intelligence information. In addition, the absence of certain provisions left room for varying interpretations as to the authority to use intelligence information. It is felt that the proposed changes, as set forth in Draft No. 9, adequately correct the problems encountered in Draft No. 8. As an aid to your study of Draft No. 9, comments are set forth below on each of its paragraphs with comparisons where practicable with similar paragraphs in Draft No. 8.

Preamble: No Change

Paragraph 1: No Change

Paragraph 2: Slight editorial changes but no changes in substance.

Paragraph 3: Slight editorial changes but no changes in substance.

Paragraph 4: This is a new paragraph and not comparable to paragraphs in Draft No. 8. The purpose of this paragraph is to permit under certain circumstances the rapid production and dissemination of finished intelligence without sacrificing sound security principles and without incurring the administrative delays caused by seeking permission of the originator for the inclusion of uncontrolled intelligence information in finished intelligence. With the current planning of the intelligence community for the rapid machine transmission of intelligence information, it would be incongruous to delay use of this information in finished intelligence in order to secure approval of the originator when security conditions would

undoubtedly permit the originator to give ready assent.

Paragraph 5: Subparagraph a. (1): The same as 4. I. a. in Draft No. 8.

Subparagraph a. (2): Replaces 4. I. b. and c. of Draft No. 8. It was considered that the stamps "NOT RELEASABLE TO CONTRACTORS" and "CONTROLLED DISSEM" of Draft No. 8 could be combined into one stamp, namely, " CONTROLLED DISSEM." A new definition of use is given as related to finished intelligence.

Subparagraph a. (3): The definition of use is changed as related to finished intelligence.

Subparagraph a. (4): No Change.

Subparagraph b. : The heading was changed to "RELEASE TO FOREIGN GOVERNMENTS" to conform with the language of the Presidential Directive, and the word "dissemination" was changed to "release" throughout this section.

Subparagraphs b. (1) and (2): These paragraphs were rewritten to conform with the principle of paragraph 4.

Paragraph 6: Same as paragraph 5 in Draft No. 8 except the word "release" is inserted in the second line.

Paragraph 7: Same as paragraph 6 in Draft No. 8 except "FOR OFFICIAL USE ONLY" is cited as an example.

Paragraph 8: Same as paragraph 7 in Draft 8.

25X1A

Chairman

Attachment

DCID NO. _____
(New Series)

DRAFT NO. 9
1 December 1960

DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. _____¹

SUBJECT: Controls for Dissemination and Use of Intelligence and
Intelligence Information

Pursuant to the provisions of NSCID No. 1 (New Series, 15 September 1958), paragraph 2 (a) (5), and paragraph 5, and for the purpose of protecting intelligence, intelligence information, and intelligence sources and methods from unauthorized disclosure, the following procedures are established to control uniformly the dissemination and use of intelligence and intelligence information.

1. The basic control for the safeguarding of classified information is established by Executive Order 10501. Section 7 (c) of Executive Order 10501 stipulates that classified defense information originating in a department or agency will not be disseminated outside another receiving agency without permission of the originating agency, except as provided in Section 102 of the National Security Act of 1947, as amended. In order, however, for the intelligence components of the USIB member departments and agencies to discharge their responsibilities more effectively, each such component, through authorized processing facilities may reproduce documents, unless otherwise excepted, containing intelligence and intelligence information originally issued by another. The information from documents so reproduced may be disclosed to the intelligence components of other USIB agencies unless the original dissemination was specifically

¹ This Directive supersedes DCID No. 11/2 of 11/15/54.

limited. The control markings and procedures set forth below shall be utilized by an originating agency to restrict the internal dissemination and use of intelligence and intelligence information by a receiving agency, or to permit the dissemination of such information outside of the receiving agency. Such restrictive or permissive action is to be consonant with the protection of intelligence, intelligence information and of the intelligence sources and methods involved.

2. The standardized control markings and procedures set forth in this Directive are to be employed uniformly by all departments and agencies in the intelligence community thereby assuring like control and restrictions on the use of intelligence and intelligence information disseminated within the departments and agencies represented on the United States Intelligence Board. The substance of this Directive shall be published in the appropriate regulatory or notice media of each agency or department.

3. Whenever an originating department or agency deems it necessary to provide special controls for intelligence or intelligence information, either by virtue of the substance of the information itself or to provide additional protection of intelligence sources and methods, the appropriate control marking or markings shall be placed upon the document. Any document disseminated or used within or outside the intelligence community and bearing any of the control markings set forth in this Directive shall be controlled carefully by all recipients in strict conformity with the requirements and restrictions of this Directive. Oral disclosures of information are to be in conformity with the intent and requirements of this Directive.

4. Intelligence Information

a. Use in Finished Intelligence

- (1) In order to facilitate the maximum use of intelligence information, the intelligence components of the USIB give advance consent that classified intelligence

information not bearing any control markings may be incorporated within a classified finished intelligence document and disseminated as the producer of the finished intelligence deems appropriate and necessary, which may include release to foreign governments.

- (2) The information, however, must be paraphrased and used in the text in a manner which effectively conceals the originating agency, the source, the place acquired and the manner of acquisition; in addition, if disclosed to a foreign government, no reference shall be made to documents upon which the finished intelligence is based.
- (3) Exceptions to paragraph 4.a.(2) above may be arranged between interested agencies.

b. Other Uses

Intelligence information when quoted, extracted or summarized retains its identity as part of the original document. Intelligence information in such form, unless otherwise excepted, may be used in digests, summaries, other documents and machine data storage systems provided control markings, if any, are reproduced with the information. Intelligence information so used shall not be released to foreign governments without the permission of the agency originating the information.

5. In accordance with paragraph 3. above, the following markings shall be used for the control of intelligence and intelligence information within the U. S. Government and to foreign nationals.

a. DISSEMINATION WITHIN THE U. S. GOVERNMENT

- (1) WARNING NOTICE - SENSITIVE SOURCES AND METHODS INVOLVED

This marking shall be employed in the absence

of any other suitable marking to inform all recipients that the information is sensitive and requires special controls and a severely limited distribution. For the purpose of this marking, such intelligence is identified as that classified intelligence, the unauthorized disclosure of which could lead to counteraction (a) jeopardizing the continued productivity of intelligence sources or methods which provide intelligence vital to the national security or (b) offsetting the value of intelligence vital to the national security.

Document: The dissemination of the document shall be severely limited to those who have a clear need-to-know.

Use : The control marking must carry over onto any other document or publication in which the information is incorporated. All recipients, whether the information is furnished to them orally or in writing, must be advised of the sensitivity of the information and the damaging effect to the national security if disclosed without authorization. The information shall not be disseminated outside of authorized channels or

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released publicly in any manner
without the permission of the
originating agency and an assessment
by the appropriate Intelligence Chief
as to the risks to the national
security and to the intelligence
sources and methods involved.

(2) CONTROLLED DISSEM

This marking shall be utilized where source protection, including the proprietary interests of commercial sources, would warrant limiting the dissemination of the document. This marking may also be applied for dissemination control purposes to assist in identifying that intelligence material which by category or classification is by USIB approved policy and other directives prohibited from dissemination to contractors.

Document: The dissemination of the document shall be limited to civilian employees and active duty military personnel within the intelligence components of the USIB member agencies, and to those senior officials of the member agencies who must act upon the information. IT SHALL NOT BE RELEASED TO CONTRACTORS. It shall not be dis-

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seminated to organizations or personnel, including consultants, under a contractual relationship to the U. S. Government without the written permission of the originator.

Use : The information may be used in classified finished intelligence without carrying over the control marking provided the requirements of paragraph 4. a. (2) above are followed.

(3) NO DISSEM ABROAD

This marking shall be employed to preclude the dissemination of a document outside the States of the United States except as determined by the originator in order to satisfy special conditions.

Document: The document shall not be disseminated outside the States of the United States.

Use : The information may be used in classified finished intelligence without carrying over the control marking provided the requirements of paragraph 4. a. (2) above are followed.

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(4) BACKGROUND USE ONLY

This marking shall be employed to preclude the inclusion of the information in any other document or publication. This marking is intended solely to control the use of the information.

Document: This marking does not affect the dissemination of the document.

Use : The information is not to be included in any other document or publication.

b. RELEASE TO FOREIGN GOVERNMENTS¹

The policy and procedures for the release of classified defense information to foreign governments are established by the Presidential Directive of 23 September 1958, "Basic Policy Governing the Release of Classified Defense Information to Foreign Governments," as revised 23 April 1960.

(1) Classified Intelligence Documents Not Bearing Control Markings

Document: Classified intelligence documents even though they bear no control markings shall not be released to foreign governments without the prior permission of the originating agency.

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For the purposes of this Directive, foreign governments shall include foreign nationals and immigrant aliens, including U. S. employed, utilized or integrated foreign nationals and immigrant aliens.

Use : Information contained in classified intelligence documents not bearing any control markings may be used in finished intelligence and released to foreign governments in accordance with paragraph 4. a. of this directive.

(2) When the originator predetermines that intelligence information must not be released in any form to foreign governments, the following marking shall be employed:

**NOT RELEASABLE TO FOREIGN NATIONALS -
CONTROLLED**

(This marking may be abbreviated to "NOFORN -
CONTROLLED.")

Document: The document must not be released to foreign governments.

Use : The information must not be released in any form to foreign governments. The control marking must carry over on all documents and publications in which the information is incorporated.

6. Any recipient agency or department desiring to use, quote, extract, summarize, disseminate or release a document marked with a control in a manner contrary to the limitation of that control marking, must obtain the permission of the originating agency. Permission from the originating agency to utilize, in whole or part, any intelligence or intelligence information

in a manner other than specified by the control markings applies only to the specific purpose of the requestor and does not automatically apply to all recipients of the information as originally disseminated, unless the originating agency removes the control markings for the benefit of all recipients.

7. These control markings and procedures do not supersede the special controls for the dissemination and use of atomic energy intelligence, and COMINT including information related to COMINT and COMINT activities. Further, they do not supersede special indicators or project designators utilized by the various departments and agencies for established distribution of material. In addition, these markings and procedures do not affect other control measures or markings such as "FOR OFFICIAL USE ONLY," established by the various departments and agencies for information subject to laws concerning copyright, libel, slander, and communications, nor other information which for moral, ethical or legal reasons must be protected by other control measures.

8. The publication of this Directive shall not abrogate the control measures applied to documents prior to _____ under authority of DCID No. 11/2 (approved 11/15/54). These markings are: NOT RELEASABLE TO FOREIGN NATIONALS, NO DISSEM ABROAD, NSC PARTICIPATING AGENCIES ONLY, INTELL COMPONENTS ONLY, LIMITED, CONTINUED CONTROL, BACKGROUND USE ONLY, and FOR OFFICIAL USE ONLY. Any question concerning these markings shall, in conformance with paragraph 6. be referred to the originating agency. The provisions of this Directive shall become effective _____ days after its publication.